

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**DENNIS EUGENE SMITH,**

**Defendant.**

**8:22CR117**

**ORDER**

This matter came before the Court upon the defendant, Dennis Eugene Smith's filing of Motions to Suppress (Filing Nos. 38 and 40), Motion to Sever (Filing No. 42), Motion to Extend (Filing No. 44), and the government's Responses (Filing Nos. 45 and 46). A telephone conference was held with counsel on the 3<sup>rd</sup> day of August 2023, before the undersigned magistrate judge. After allowing counsel to be heard, the Court found good cause lacking to extend the pretrial motion deadline and granted the parties' request for oral argument on the motion to suppress regarding search warrants and the motion to sever. Additionally, the government requested time to determine whether any statements sought to be suppressed would be offered at trial. Accordingly,

**IT IS ORDERED:**

1. The defendant's Motion to Extend (Filing No. 44) is denied.
2. On or before **August 10, 2023**, the parties shall meet and confer to resolve any issues not requiring an evidentiary hearing, agree upon any factual stipulations to be presented to the court, and discuss proposed exhibits and witnesses.
3. On or before **August 17, 2023**, the parties shall deliver to the undersigned's chambers via email to [nelson@ned.uscourts.gov](mailto:nelson@ned.uscourts.gov) or hand delivery their proposed witness list(s), exhibit list(s), and copies of all exhibits.
4. A telephone status conference to discuss prehearing matters and the request for scheduling of an evidentiary hearing on the defendant's motion to suppress statements (Filing No. 38), and oral argument on the defendant's motion to suppress evidence obtained from search warrants (Filing No. 40) and motion to sever (Filing No. 42) will be held before the undersigned magistrate judge on **August 24, 2023, at 10:30 AM**. Conferencing Instructions are at Filing No. 50.

Dated this 4<sup>th</sup> day of August, 2023.

BY THE COURT:

s/Michael D. Nelson  
United States Magistrate Judge